

FOLEY & LARDNER

ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200

SAN DIEGO, CA 92130

P.O. BOX 80278

SAN DIEGO, CALIFORNIA 92138-0278

TELEPHONE: 858.847.6700

FACSIMILE: 858.792.6773

WWW.FOLEYLARDNER.COM

FACSIMILE TRANSMISSION**Total # of Pages: 8 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Amy E. Pulliam - Art Unit 1615 Commissioner for Patents Mail Stop RCE	(703) 308-4710	(703) 872-9307

From : Stephen E. Reiter

SR

Sender's Direct Dial : 858.847.6711

Date : June 10, 2003

Client/Matter No : 071243-0218

User ID No : 1877

FAX RECEIVED

JUN 11 2003

GROUP 1600**MESSAGE:****OFFICIAL****OFFICIAL**

Re: Application Serial No. 09/628,387

Following are copies of:

Request for Continued Examination (3 pgs.-in dupl. = 6 pgs.);
Petition for Extension of Time (1 pg.).If there are any problems with this transmission or if you have not
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Joy Day
-----------	------------	--------------------------------

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

JUN. 10. 2003 4:37PM

858 792-6773 FOLEY AND LARDNER

NO. 1015 P. 5

Atty. Dkt. No. ABI1150-18
(071243-0218)

21/ Reg under

1.114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Soon-Shiong and Desai

Title: METHODS AND
FORMULATIONS OF
TAXANES

Appl. No.: 09/628,387

Appl. Filing Date: 08/01/2000

Examiner: A. Pulliam

Art Unit: 1615

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Stephen E. Reiter</u> (Printed Name) <u>Step E. L.</u> (Signature) <u>June 10, 2003</u> (Date of Deposit)
--

Beit
6-12-03

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[X] Please enter and consider the Response After Final previously filed on May 9, 2003.

[] Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.

06/12/2003 CBETANCO 00000004 500872 09628387

02 FC:1801 750.00 CH

Atty. Dkt. No. ABI1150-18
(071243-0218)

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☒ Petition for Extension of Time.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)				\$750.00	\$750.00
Total Claims:	23	171	0	x \$18.00	\$0.00
Independents:	4	40	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$750.00

Atty. Dkt. No. ABI1150-18
(071243-0218)

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$110.00	\$110.00
[] Extension for response filed within the second month:	\$410.00	\$0.00
[] Extension for response filed within the third month:	\$930.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,450.00	\$0.00
[] Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:		\$110.00
CLAIMS AND EXTENSION FEE TOTAL:		\$860.00
[] Small Entity Fees Apply (subtract ¼ of above):		\$0.00
[] Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:		\$880.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$860.00. A duplicate copy of this transmittal is enclosed.

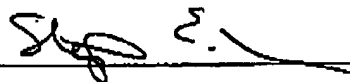
[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: June 10, 2003

By



FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192